

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2017

CORAM :

THE HONOURABLE MS.JUSTICE R.MALA

C.R.P(NPD).No.4040 of 2016
and C.M.P.No.20422 of 2016

J.S.Venkatesan

.. Petitioner

Vs.

V.Dhanasekaran

.. Respondent

Prayer:- Civil Revision Petition is filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, (Act 18 of 1960 as amended by Act 1 of 1980), against the fair and decreetal order dated 25.04.2016 in I.A.No.1 of 2016 in R.C.A.No.7 of 2014 on the file of the Sub-Court, Arakkonam, Vellore District.

For Petitioner : Mr.G.Jeremiah

For Respondent : Mr.I.Abrar Mohammed Abdulla

ORDER

The Civil Revision Petition is filed against the fair and decreetal order dated 25.04.2016 in I.A.No.1 of 2016 in R.C.A.No.7 of 2014 on the file of the Sub-Court, Arakkonam, Vellore District.

2.It is seen from the records that the respondent/landlord filed R.C.O.P.No.6 of 2011 for eviction on the ground of wilful default and that petition was allowed and eviction was ordered. Aggrieved over the same, the petitioner/tenant has preferred R.C.A.No.7 of 2014, which was dismissed for default. Therefore, the petitioner/tenant has filed I.A.No.1 of 2016 to restore the said appeal. In that application, the learned Rent Control Appellate Authority directed the petitioner/tenant to deposit 50% of rent arrears i.e., Rs.37,500/- before the Tribunal on or before 25.04.2016, failing which, I.A.No.1 of 2016 shall stand dismissed. Since the petitioner/tenant did not deposit the said amount, I.A.No.1 of 2016 in R.C.A.No.7 of 2014 has been dismissed. Challenging the same, the present revision is preferred by the petitioner/tenant.

3. When the revision came up for hearing, the learned counsel for the petitioner sought for time to comply with the order passed by the learned Rent Control Appellate Authority and that this Court directed the petitioner to deposit 50% of the arrears of rent to the tune of Rs.37,500/- before the Tribunal on or before 01.02.2017.

4. Today, when the matter is taken up for hearing, learned counsel for the petitioner would submit that he has not complied with the order passed by this Court on 04.01.2017 and that he again seeks time to comply the same. In such circumstances, I do not find any reason for entertaining this revision. Accordingly, the Civil Revision Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

02.02.2017

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To

The Sub-Court, Arakkonam, Vellore District.

R.MALA,J.

Kj

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